

# Congress of the United States

## Washington, DC 20515

June 2, 2023

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
245 Murray Lane, SW  
Washington, DC 20528

Dear Secretary Mayorkas:

Under your leadership, the Department of Homeland Security has repeatedly targeted conservative Americans for lawfully expressing their First Amendment rights.<sup>1</sup> The Constitution prohibits the federal government from suppressing the free speech of Americans, by any means, including the use of third parties to engage in unconstitutional attacks on free speech.<sup>2</sup> But this unlawful federal speech regulatory regime continues to be the norm under the Biden Administration. It has come to light that you are providing grants to organizations that openly demonize and equate mainstream conservatism with domestic terrorism. It is your duty to stop this un-American politically motivated targeting of ideas.

The most recent example of this trend targeting conservatives, uncovered by the Media Research Center (MRC), describes a DHS grant program designed to address Americans “being targeted for recruitment by al-Qa’ida” by preventing “all forms of terrorism and targeted violence.”<sup>3</sup> Instead, your DHS has reimagined this program to prioritize combatting domestic radicalization and has awarded federal grants to organizations that view conservative beliefs as radicalization in need of suppression.

The DHS Targeted Violence and Terrorism Prevention Grant Program awarded 80 grants totaling nearly \$40 million to grantees to “develop sustainable, multidisciplinary targeted violence and terrorism prevention capabilities in local communities, to pilot innovative

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<sup>1</sup> *America First Legal Releases New Internal DHS Documents Revealing The Government Is Funding Trainings Intended to Target Conservative Americans*, America First Legal (May 8, 2023), <https://aflegal.org/america-first-legal-releases-new-internal-dhs-documents-revealing-the-government-is-funding-trainings-intended-to-target-conservative-americans/>; *America First Legal Lawsuit Against the Department of State Obtains Documents from the Global Engagement Center Exposing How “Private” Media Organizations Carry Out State Propaganda*, America First Legal (May 24, 2023), <https://aflegal.org/america-first-legal-lawsuit-against-the-department-of-state-obtains-documents-from-the-global-engagement-center-exposing-how-private-media-organizations-carry-out-state-propaganda/>.

<sup>2</sup> “[I]f the government coerces or induces it to take action the government itself would not be permitted to do, such as censor expression of a lawful viewpoint.” *Biden v. Knight First Amendment Institute at Columbia Univ.*, 141 S. Ct. 1220, 1226 (2021) (Thomas, J., concurring).

<sup>3</sup> *Empowering Local Partners to Prevent Violent Extremism in the United States*, Archives, Obama White House (Aug. 2011), [https://obamawhitehouse.archives.gov/sites/default/files/empowering\\_local\\_partners.pdf#page=3](https://obamawhitehouse.archives.gov/sites/default/files/empowering_local_partners.pdf#page=3); *DHS Creates New Center for Prevention Programs and Partnerships and Additional Efforts to Comprehensively Combat Domestic Violent Extremism*, DHS (May 11, 2021), <https://www.dhs.gov/news/2021/05/11/dhs-creates-new-center-prevention-programs-and-partnerships-and-additional-efforts>. (p.3)

prevention approaches, and to identify prevention best practices that can be replicated in communities across the country.”<sup>4</sup>

Among the most radical of the programs funded by DHS is the University of Dayton’s PREVENTS-OH program. The taxpayer-funded program promised to “draw on the expertise of the University of Dayton faculty” to combat “domestic violent extremism and hate movements.”<sup>5</sup> One University of Dayton seminar on the topic was headlined by DHS Agent Joseph Masztalics in his official capacity discussing the mission of TVTP. The same event featured extremist speakers calling for the targeting and disruption of conservative organizations. One such speaker, University of Cincinnati researcher Michael Loadenthal, in a graphic called the “Pyramid of Far-Right Radicalization,” likened militant neo-Nazi groups to mainstream conservative groups like the Heritage Foundation, Fox News, Breitbart News, Christian Broadcasting Network, Turning Point USA, PragerU, the National Rifle Association (NRA), the American Conservative Union Foundation, and the Republican National Committee.<sup>6</sup> Loadenthal described the graphic as an “accurate depiction of the ‘modern far-right’ and extremism in America.”<sup>7</sup> Loadenthal himself alluded to his background as a member of the group that became Antifa and acknowledged that a “lot of things we’re doing are illegal” and a “lot of it involves breaking the law.”<sup>8</sup> Loadenthal railed against free speech and has called for the deplatforming of fascists (a term he reportedly used interchangeably with “the right”).<sup>9</sup> Another seminar compared President Donald Trump to Pol Pot and theorized that Governor Ron DeSantis might conduct a second holocaust.<sup>10</sup>

Instead of targeting groups that promote and amplify civil unrest and racial violence like Antifa and Black Lives Matter, the University of Dayton seminars are led by these anarchist extremists. This is just *one* TVTP grant recipient.

DHS should under no circumstances award grants relating to combatting domestic radicalization to organizations and municipalities that lack the ability to discern between speech and legitimate political decisions they disagree with and domestic terrorism. It is especially concerning that you called these grants a “priority...of the highest performance.”<sup>11</sup>

Please provide answers to the following questions no later than June 11, 2023.

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<sup>4</sup> Targeted Violence and Terrorism Prevention Grant Program, DHS (last updated Mar. 8, 2023), <https://www.dhs.gov/tvtpgrants>.

<sup>5</sup> PREVENTS-OH, University of Dayton <https://udayton.edu/artssciences/ctr/hrc/extremism/extremism-prevention.php>; Luis Cornelio, Tim Kilcullen, *How Biden’s DHS Is Weaponizing an Anti-Terror Program Against Conservatives, Christians, & the GOP - EXPOSED*, MRC Free Speech America, Media Research Center (May 2023), p. 3 (hereafter known as “MRC Report”)

<sup>6</sup> MRC Report p. 2.

<sup>7</sup> Aaron Kliegman, *University program linking Christians, Republicans to Nazis granted DHS funds under 'anti-terror' initiative*, Fox News (May 25, 2023), <https://www.foxnews.com/politics/university-program-linking-christians-republicans-nazis-granted-dhs-funds-part-anti-terror-initiative>.

<sup>8</sup> MRC Report p. 3.

<sup>9</sup> MRC Report p. 7.

<sup>10</sup> MRC Report p. 8.

<sup>11</sup> MRC Report p. 5.

1. Why do you consider targeting organizations expressing lawful speech a “high-priority”?<sup>12</sup>
2. Was DHS aware of the political, unlawful positions held by speakers hosted by these grantee organizations?
3. Does DHS consider organizations like The Heritage Foundation, Fox News, Breitbart News, Christian Broadcasting Network, Turning Point USA, PragerU, the National Rifle Association (NRA), the American Conservative Union Foundation, and the Republican National Committee to support, promote, or otherwise be engaged in domestic violent extremism?
4. What safeguards are in place to prevent TVTP grantees from targeting Americans’ lawful speech?
5. Who is responsible for reviewing TVTP grant applications?
6. Under what criteria is a TVTP grant application denied?
7. Under what criteria is an already awarded TVTP grant terminated?
8. How many TVTP grants are presently active? With which organizations and municipalities? How much money is unexpended on each grant?
9. Why would a DHS agent participate in the same seminar as a member of Antifa?
10. Does DHS consider Antifa a domestic extremist group?
11. How many acts of domestic violent extremism has DHS attributed to members of Antifa?
12. In what circumstances is a violent crime attributable to a group such as Antifa instead of being attributable solely to the individual?
13. Please list the groups and organizations identified by DHS that these TVTP grants should target.
14. Was DHS aware of Michael Loadenthal’s “Pyramid of Far-Right Radicalization” prior to approving the grant to the University of Dayton?
15. How does DHS define “radicalization,” and does it consider radicalization itself unlawful?
16. How does DHS ensure that federal grants are not used to fund the anti-free speech initiatives promoted by grantees?

Sincerely,



Andy Biggs  
Chairman

Committee on the Judiciary Subcommittee on Crime and Federal  
Government Surveillance  
Committee on the Judiciary

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<sup>12</sup> MRC Report p. 2.